## REMARKS

This Amendment responds to the Office Action dated January 4, 2005 in which the Examiner rejected claims 31-42 under 35 U.S.C. §103.

Claims 31, 35, 39 and 41 claim a photographic apparatus having (a) recording section(s) and a controller. The recording section is capable of recording both moving pictures and still pictures on a same recording medium. The controller controls the photographic apparatus, which is operated by a voluntary operation of an operator, to selectively carry out a plurality of shooting and reproducing modes. The shooting mode includes a mode in which the moving picture is recording on the recording medium and a mode in which the picture to be reproduced as the still picture is recorded on the recording medium. The reproducing modes include a mode in which the moving picture recorded on the recording medium is produced, a mode in which the picture recorded on the recording medium so as to be reproduced as a still picture is reproduce and a mode in which the still picture is reproduced out of the moving picture which is recorded on the recording medium to be reproduced as the moving picture.

Through the structure of the claimed invention a) having a recording section which records both moving pictures and still pictures on a same recording medium and b) having a reproducing mode in which the still picture is reproduced out of a moving picture, which is recorded to be reproduced as a moving picture, as claimed in claims 31, 35, 39 and 41, the claimed invention provides a photographing apparatus functioning both as a still camera and a video camera in which entries to a data base can be easily retrieved. The prior art does not show, teach or suggest the invention as claimed in claims 31, 35, 39 and 41.

Claims 31-42 were rejected under 35 U.S.C. §103 as being unpatentable over *Ootsuka* (U.S. Patent No. 5,774,754) in view of *Kozuki et al.* (U.S. Patent No. 5,589,943).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Ootsuka* appears to disclose an electronic information recorder 50 disposed in such a position in the lower part of the camera main body 20 as not to hinder a camera operation. The recorder 50 is formed with a mounting portion 50a in which an IC card 51 as an electric memory for electrically recording the still pictures stored in the frame memory of the camera main body 20 is mountable and an unillustrated mounting portion in which a magnetic recording medium 52 such as a magnetic tape or magnetic optical disk which enables the recording of motion images is mountable, and is provided internally with a tape feeding mechanism. (Col. 5, lines 57-67) Indicated at 39 is a recording start switch which is operated when the motion images are recorded. Indicated at 40 is a photographing mode changeover switch which is operated to change a combination of three photographing modes: a film image photographing mode in which still images are recorded on a photosensitive film, an electronic still image photographing mode in which still images are recorded on the IC card 51 and a motion image photographing mode for recording motion images on the magnetic recording medium 52. (Col. 6, lines 27-36)

Thus, *Ootsuka* merely discloses an IC card 51 for recording still pictures, a magnetic recording medium 52 for recording motion images and a photosensitive

film for photographing still images. Nothing in *Ootsuka* shows, teaches or suggests the same recording medium recording both moving pictures and still pictures as claimed in claims 31, 35, 39 and 41. Rather, *Ootsuka* clearly discloses recording still images on a photosensitive film, recording electronically still images on an IC card 51 and recording motion images on a magnetic recording medium 52 (column 5, lines 57-67, column 6, lines 27-36).

Additionally, *Ootsuka* records still images on an IC card 51 and records motion images on a magnetic recording medium 52. Therefore, nothing in *Ootsuka* shows, teaches or suggests a reproducing mode in which a still picture is reproduced out of a moving picture, which is recorded to be reproduced as a moving picture as claimed in claims 31, 35, 39 and 41. Rather, *Ootsuka* merely discloses recording still images on a IC card and recording motion images on a magnetic recording medium 52.

*Kozuki et al.* appears to disclose a video signal recording apparatus for recording a digital still image signal and an analog video signal on the same recording medium. (Col. 1, lines 13-15) FIG. 8 shows a conventional format for moving-image recording and still-image recording. As shown in FIG. 8, pictures are continuously recorded in the respective moving-image recording areas 5 of tracks M1 to M17 of FIG. 8 by one field for each track. If it is assumed that the picture (scene) recorded in the track M5 is extracted for recording in the still-image recording area 6, the picture for one field in the track M5 is recorded in the respective still-image recording areas 6 of eight tracks S5-1 to S5-8 in such a manner that the picture for one field is divided into eight parts. During reproduction of the magnetic tape recorded in the above-described manner, since only the

moving-image recording area 5 of each track is reproduced, the scene in the track M5 is merely instantaneously reproduced so that it is impossible for an operator to visually confirm the substantial contents of the scene. To cope with this problem, in the embodiment shown in FIG. 9, one picture in the track M5 is recorded in the still-image recording areas 6 of the respective tracks S5-1 to S5-8 in such a manner that such one picture is divided into eight parts, while the contents of the track M5 are recorded in the moving-image recording area 5 of each of tracks M6 to M9 for four fields. Since recording such as that shown in FIG. 9 is carried out, the still-image recording controlling circuit 313 controls the readout operation of the memory 312 so that still-image information representative of the scene in the track M5 is transmitted from the memory 312 to the video signal processing circuit 304 over the associated field period. In addition, since recording such as that shown in FIG. 9 is carried out, a frozen still image is displayed during only a particular time duration so that the operator can easily confirm the timing when the still image was recorded and the contents thereof, merely by monitoring the contents of the moving-image recording areas 5 of the respective tracks. As is apparent from the above description, in the apparatus according to the embodiment explained in connection with FIGS. 7 to 9, one picture at a certain instant during the recording of a moving image is recorded as a still image in particular still-image recording areas, and at the same time the still image is continuously recorded in the corresponding moving-image recording areas as well during only a predetermined time duration. Accordingly, it is possible to realize a magnetic recording apparatus which permits an operator to easily understand the contents and recording timing of a picture recorded as a still image during the reproduction of a moving image. (Col. 8, lines 14-62)

Thus, *Kozuki et al.* merely discloses recording one image as a still image in a still image recording area. In other words, the M5 track shown in Figure 9 in *Kozuki et al.* is for temporarily suspending the recording of a moving picture and instead records a still picture for a predetermined period of time. Applicants respectfully point out that the still picture is recorded from the beginning and reproduced as a still image (see col. 8, lines 38-50). Thus nothing in *Kozuki et al.* shows, teaches or suggests a reproducing mode in which a still picture is reproduced out of a moving picture which is recorded to be reproduced as a moving picture as claimed in claims 31, 35, 39 and 41. In other words, as claimed in claims 31, 35, 39 and 41, a frame is extracted out of a picture recorded as a moving picture (so as to be recorded as a moving picture) and that frame is reproduced as a still picture. However, *Kozuki et al.* merely discloses that the still image recorded in the M5 track can only be reproduced as a still image and cannot be reproduced as a moving picture.

Additionally, *Kozuki et al.* merely discloses storing a digital still-image signal in an area 6 separated from a first area 5 which records a video signal. Thus nothing in *Kozuki et al.* shows, teaches or suggests a mode in which a still picture is reproduced out of a moving picture which is recorded on a recording medium and which is to be reproduced as the moving picture as claimed in claims 31, 35, 39 and 41. Rather, *Kozuki et al.* discloses reproducing a digital still-image signal from an area 6 which is separate from a first area 5 which records the video signal (i.e., the still image is <u>not</u> reproduced from the video signal).

Since neither *Ootsuka* or *Kozuki et al.* show, teach or suggest a reproducing mode in which a still picture is reproduced out of a moving picture which is recorded to be reproduced at the moving picture as claimed in claims 31, 35, 39 and 41,

Applicants respectfully request the Examiner withdraws the rejection to claims 31, 35, 39 and 41 under 35 U.S.C. §103.

Claims 32-34, 36-38, 40 and 42 depend from claims 31, 35, 39 and 41 and recite additional features. It is respectfully submitted the claims 32-34, 36-38 40 and 42 would not have been obvious within the meaning 35 U.S.C. § 103 over *Ootsuka* and *Kozuki et al.* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 32-34, 36-38, 40 and 42 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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